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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR §1.8

I hereby certify that this correspondence, totaling thirteen (13) pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-3300 (Central number) on the below date:

Date: September 8, 2008 Name: Gregory H. Zayia - Reg. No. 48,059 Signature: Gregory Zayia

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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Yasuyuki Kawashima
Appln. No.: 10/821,732
Filed: April 8, 2004
For: Methods for Measuring Bacteria, Bacteria
Measuring Apparatuses, and Storage
Media for Storing Computer-Executable
Programs for Analyzing Bacteria

Examiner: Amanda P. Wood
Art Unit: 1657
Conf. No.: 1524

Attorney Docket No: 11333/38

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Attached is/are:

- ☒ Transmittal (in duplicate); Response; and Petition and Fee for Extension of Time.

Fee calculation:

- ☐ No additional fee is required.
☐ Small Entity.
☒ An extension fee in an amount of \$460 for a two (2)-month extension of time under 37 CFR § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

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| | | | | | Small Entity | | | Not a Small Entity | |
|---|----------------------------------|-------|---------------------------------|---------------|--------------|-----------|----|--------------------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$25= | | | x \$50= | |
| Indep. | | Minus | | | x 105= | | | x \$210= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$185= | | | + \$370= | |
| | | | | | Total | \$ | | Total | \$ |

Fee payment:

- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$460. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

September 8, 2008
Date

Gregory H. Zayia (Reg. No. 48,059)

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NBC Tower - Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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